

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHIRLEY TOMASELLO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:25-cv-00334-BAM

ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE

FOURTEEN-DAY DEADLINE

Plaintiff Shirley Tomasello (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, seeks review of the Commissioner of Social Security’s denial of her application for disability benefits.

(Doc. 1.) On April 4, 2025, the Court entered a Scheduling Order in this action. (Docs. 7, 8.)

On May 28, 2025, the Commissioner of Social Security lodged the administrative record.

(Doc. 12.) The Commissioner of Social Security served Plaintiff with a copy of the administrative record on June 2, 2025. (Doc. 14.) The Scheduling Order in this case requires that Plaintiff file a motion for summary judgment within thirty (30) days after service of the administrative record. (Doc. 8 at 2.) Based on service of the administrative record, Plaintiff’s motion for summary judgment was due no later than July 7, 2025. As of the date of this order, no motion for summary judgment has been filed.

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1 Accordingly, Plaintiff is HEREBY ORDERED to SHOW CAUSE why this action should
2 not be dismissed for her failure to prosecute. Plaintiff may comply with this order by filing a
3 written response to this Order or a motion for summary judgment within **fourteen (14) days**
4 **from the date of this order. Failure to comply with this order will result in dismissal of this**
5 **action.**

6
7 IT IS SO ORDERED.

8 Dated: July 14, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE